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In re Application of Bo-Sung Kim
Application no. 09/924,677
Filed: 9 August 2001
Attorney Docket No. 6192.0170.AA

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: DECISION ON PETITION
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This is a decision on the petition filed under 37 C.F.R. §1.144 on January 20, 2004, to partially withdraw the restriction of claims 17, 18, 22 and 23.

The petition is **GRANTED** to the extent indicated below.

MPEP § 808.01(a) indicates that, "**Election of species should not be required if the species claimed are considered clearly unpatentable (obvious) over each other.**" (emphasis in original). Claims 1 to 5 (Group I) and claims 17, 18, 22 and 23 are not patentably distinct over each other and therefore should not be restricted over each other.

Claims 17, 18, 22 and 23 will be rejoined to the Group I claims for further prosecution in this application.

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